

2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 RINALDO RIZZO,

Plaintiff,

-against-

13 Civ. 8664

6 DF LAND LLC, GLENN DUBIN, individually, EVA
7 DUBIN, individually and BRENDA AMES,
8 individually,

Defendants.

9
10 DEPOSITION of the Defendant, BRENDA GAIL AMES,
11 taken pursuant to Notice, held at the offices of
12 CCI, 2200 Atlantic Street, Stamford, Connecticut, on
13 July 14, 2015, at 10:04 a.m. before a Notary Public
14 within and for the State of New York.
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1 B. Ames

2 form.

3 A I don't understand the term "look out
4 for."

5 Q Could she review his work, go to the
6 place where he was supposed to have done the
7 tasks that he was assigned and make sure he
8 did it?

9 A She did not do that.

10 Q Did anyone aside from yourself do
11 that?

12 A No.

13 Q Okay.

14 A The Dubins, obviously, because they
15 were there.

16 Q You said that part of Mr. Rizzo's work
17 would be to travel with the family to other
18 locations, correct?

19 A Traveling to other locations, and he
20 may or may not be with the family.

21 Q Then when they reached those
22 locations, it was his job to do what?

23 A To --

24 MR. SALINS: Objection to the
25 form.

1 B. Ames

2 THE WITNESS: There was
3 flexibility when he arrived at new
4 locations because they were not set
5 jobs. It was not like he was there
6 every day or the family was there
7 every day. So whatever was called
8 upon or was necessary, he worked with
9 the scheduling people and he worked to
10 communicate issues.

11 He was basically in Florida the
12 eyes and ears of what needed to get
13 done, and he communicated to the
14 assistants or the financial people or
15 the security people or the contractor
16 or the vendor. He oversaw all
17 communications.

18 Q That was for the 1090 North Lake Way
19 location?

20 A Yes.

21 MR. SALINS: Objection to the
22 form.

23 Q Did he provide similar services for
24 the Ranch Properties?

25 A No. There was a manager in the Ranch

1 B. Ames

2 Properties.

3 Q Did he provide some services for the
4 family at the Ranch Properties?

5 A He did.

6 Q As needed?

7 A Correct.

8 Q Do you know if he provided any
9 services for Dubin & Company as well?

10 A I do not believe he provided any
11 services for Dubin & Company.

12 Q Do you know if he worked with Dubin &
13 Company employees to accomplish the family's
14 objectives?

15 MR. SALINS: Objection to the
16 form.

17 A I don't know if he did.

18 Q What about Gleneagles? Do you know if
19 he assisted in the operations of Gleneagles?

20 A Gleneagles was terminated before he
21 was hired.

22 Q What about the 1040 location? Did
23 Mr. Rizzo have responsibilities there as
24 well?

25 A He was sometimes called to assist the

1 B. Ames

2 not asking her to recall anything
3 about it. I am asking if Mr. Rizzo
4 from the beginning was responsible for
5 cooking dinner.

6 A They were in Florida on that day, and
7 he told me during our meeting that he
8 understood that he would be cooking in
9 Florida.

10 Q In this email he says that he had not
11 had a day off since December 16th and it was
12 December 28th.

13 Do you know if at times Mr. Rizzo was
14 not given days off during the week?

15 A I --

16 MR. SALINS: Objection to the
17 form.

18 THE WITNESS: I disagree with
19 that.

20 Q So you do not believe that Mr. Rizzo
21 ever worked a full week, seven days without a
22 day off?

23 A He may have worked it, but he didn't
24 request -- he did the work with us to get him
25 a day off.

1 B. Ames

2 Q How would he work with you to get him
3 a day off?

4 A When you are traveling with the
5 family, it is hard to have a day off in the
6 sense that you can't go to your own home when
7 you are staying in quarters.

8 Q How would you have a day off if you
9 are traveling with them?

10 A You are not supposed to answer emails
11 or reply to things, but if he chose to look
12 at emails or answer a question or walk down
13 the stairs, I can't assure him a day off
14 unless he wants to keep himself away from the
15 family.

16 Q If he was given an order or somebody
17 requested that he do something, was he
18 supposed to say no?

19 A He is supposed to say, "It is my day
20 off, and contact Brenda and she would take
21 care of it."

22 Q If you go to Rizzo 147 --

23 A Yes.

24 Q -- do you recall the situation with
25 the breakers at the Florida house?

1 B. Ames

2 A No.

3 Q I'm sorry?

4 A No.

5 Q It says, "Bring back to the office."

6 Do you know what office Ms. Feierstein is
7 referring to?

8 A No.

9 Q Turn to the next page marked as Rizzo
10 152, and it continues on to 153, Rizzo 153.

11 A Yes.

12 Q This relates to an issue, or this is
13 an email that you sent in December of 2011
14 relating to the faucets in the kitchen.

15 Do you know where the kitchen was that
16 this is referring to?

17 A 1090 North Lake Way.

18 Q In Florida?

19 A Yes.

20 Q Tell me why Mr. Rizzo was copied here.

21 A He was in Florida at the time.

22 Q Did he have any duties related to
23 there?

24 A No. I just wanted to make sure that
25 everybody knew what was going on.

1 B. Ames

2 A He did not.

3 Q Did he continue to work once the
4 family arrived in Florida?

5 A The wife was paid as well, and she is
6 a contract worker during that time.

7 Q They worked down there?

8 A Yes. We -- the Dubins paid for the
9 child care for the child.

10 Q They were performing work in Florida?

11 A Yes.

12 Q They were compensated for that work?

13 A Yes.

14 Q It was a vacation?

15 A Their flights were paid for wife and
16 daughter. The flights were paid for.

17 Q Was Mr. Rizzo taking a vacation at
18 that time?

19 A At the end of it he asked for it.

20 Q That was canceled, right?

21 MR. SALINS: Objection to the
22 form.

23 A Not canceled. I asked him if he was
24 flying back or is he staying in Florida with
25 his family, and would he be flying on a